

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Kunzler, et al.
Application No. : 10/758,156
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Title : Contact Lens Material
Group/Art Unit : 1712
Examiner : Margaret G. Moore
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CERTIFICATE OF MAILING BY TELEFACSIMILE

I hereby certify that this correspondence is being sent by telefacsimile to: Commissioner for Patents, P. O. Box 1450, Alexandria, Virginia 22313-1450, at telephone number 703 872 9306, on October 12, 2004.


Suzanne V. Russo

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The owner, Bausch & Lomb Incorporated, a corporation of the State of New York, of one hundred percent interest in the instant U.S. Application Serial No. 10/758,156 (further identified above) by virtue of an Assignment from the inventors recorded in the U.S. Patent and Trademark Office on July 27, 1999, at Reel 010134, Frame 0412, hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on U.S. Application Serial No. 10/758,156, which would extend beyond the expiration date of the full statutory term as defined in 35 U.S.C. 154 to 156 and 173 as shortened by any terminal disclaimer filed prior to the grant of any patent granted on pending second U.S. Application Serial No. 10/293,056, filed November 12, 2002. The owner hereby agrees that any patent so granted on the instant U.S. Application Serial No. 10/758,156 shall be enforceable only for and during such period that it and the second U.S. Application Serial No. 10/293,056 are commonly owned. This agreement runs with any patent granted on the instant U.S. Application Serial No. 10/758,156 and is binding upon the grantee, its successors or assigns.

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The undersigned is an attorney of record.

October 12, 2004

Date


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